



Feliz Navidad Merry Christmas Kurisumasu Omedeto Happy Chanukah Sung Tan Chuk Ha

Library News	1
Holiday Schedule.....	1
New Library Staff.....	1
Training Classes	1
New Form of Payment	2
Federal Documents Online	2
Do You Know?	3
Reviews	3
Caught in the Net: The Impact of Drug Policies on Women and Families.....	3
New Titles.....	4
Do You Know Answers.....	7
Judicial Independence: Recent Publications	8
Contributors	9

Library News

Holiday Schedule

The Library will be closed on these days:

Monday, December 26, 2005
Monday, January 2, 2006
Monday, January 16, 2006
Monday, February 20, 2006



New Library Staff

Nancy Deegan, our newest reference librarian, recently received her Masters of Library and Information Science degree from San Jose State University. Originally from Arizona, Nancy has an undergraduate degree in Broadcasting from Arizona State University. After living in California for the

past decade, Nancy has returned to her home state to settle down with her husband and two cats.

Amy (Lucas) Griffin, a Law Library Assistant II, handles interlibrary loans and assists the public at the Reference Desk. She graduated with a B.A. in political science in 1997 from Michigan State University. While a student there, she worked at the library as a desk assistant, and then upon graduation worked at various university libraries in both access service and technical service. Before working at SCLL her prior law experience was working at the University of Michigan Law Library, since March of 2003. Amy lives in Tempe and has a 4 year old son.

Denise Ramamurthy, a new Law Library Aide, was born in Kansas City, MO but grew up in Mt. Lebanon, PA. She graduated with a B.A. in psychology from the University of Wisconsin then earned a Masters in Library Science from the University of Pittsburgh. She worked for the U.S. Navy before joining the Free Library of Philadelphia where she worked for 20 years. Denise moved to Australia with her husband in 2002 where she lived and traveled until her return the United States in April of 2005.

Training Classes

The Library has put together a series of instructional classes on how to use one of our databases, *Westlaw Patron Access*. Westlaw is a computerized legal research

database that provides access to all state and federal cases; all state and federal statutes; selected journals and law review articles; all *Arizona Practice Series* titles; a variety of forms books including *Arizona Legal Forms*; *Couch on Insurance*; *AmJur Trials* as well as *AmJur Proof of Facts*.

The first class is designed for legal professionals including attorneys, paralegals, and document preparers. *Westlaw Patron Access* training has been approved for 2 hours of AZCLDP Business Management Continuing Legal Education. The class is also approved by the State Bar of Arizona but please keep in mind that in order to qualify for CLE credit, five or more attorneys must attend.

The second class is geared toward the general public. This class is held on the first Tuesday of each month from 9am to 10am. Basic computer skills are required. Space is available on a first come first served basis.

For a schedule of upcoming classes, please call the Law Library at (602) 506-3461.

New Form of Payment

Short of cash? Need something in a hurry? The Law Library now accepts VISA and MasterCard as forms of payment. Payments can be made in person as well as over the phone.

Federal Documents Online

To provide greater access to government documents online, the Law Library has subscribed to *Documents without Shelves* from MARCIVE, a supplier of catalog records. Each month the Government Publications Office publishes new documents on the internet, and each month we receive a file of catalog records.

Each record has a description of the item and a direct link to the document. Since March 2005, we have added 935 catalog records with links to online documents published by a long list of government agencies, including the Bureau of Justice

Statistics, Civil Rights Commission, Department of Labor, Federal Judicial Center, Immigration and Naturalization Service, International Trade Commission, Justice Department, National Mediation Board, State Department, as well as the offices of the President and Vice-President, reports of Congressional hearings, publications of special commissions, and more.

To locate online documents, open the Law Library catalog from our website. Click on the *Advanced* search tab. After you type your search words, scroll down the page to *Limits*. Under *Include Collection* click *Congressional Documents* or *Federal Documents—Internet*. Hint: To select both collections, hold the Control key while clicking. Click *Go*. On the next screen, you should see a list of online documents.

Here are a few sample titles so you can try out Federal Documents Online.

Collins, William C., 1944. *Supermax prisons and the Constitution : liability concerns in the extended control unit*. Washington, DC : U.S.

Dept. of Justice, National Institute of Corrections, 2004.

Hammer, Heather. *National estimates of missing children : selected trends, 1988-1999*. Washington, DC : U.S. Dept. of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention, 2004.

United States Commission on Civil Rights. *Historical publications of the United States Commission on Civil Rights*. Washington, D.C. : U.S. Commission on Civil Rights ; Baltimore, MD : Thurgood Marshall Law Library, 2001-

United States Commission on Civil Rights. Arizona Advisory Committee. *Briefing on tragedy along the Arizona-Mexico border undocumented immigrants face death in the desert : before the Arizona Advisory Committee to the U.S. Commission on Civil*

Rights, Tucson, August 23, 2002. Washington, D.C. : U.S. Commission on Civil Rights, 2002.

United States Commission on Civil Rights. Office of Civil Rights Evaluation. *Briefing on bioterrorism and health care disparities, March 8, 2002 briefing paper.* Washington, D.C. : U.S. Commission on Civil Rights, 2002.

United States. Congress. Senate. Committee on Foreign Relations. *Evaluating international intellectual property piracy : hearing before the Committee on Foreign Relations, United States Senate, One Hundred Eighth Congress, second session, June 9, 2004.* Washington : U.S. G.P.O. : For sale by the Supt. of Docs., U.S. G.P.O., 2004.

United States. Congress. House. Committee on the Judiciary. Subcommittee on Commercial and Administrative Law. *Privacy and civil liberties in the hands of the government post-September 11, 2001 : recommendations of the 9/11 Commission and the U.S. Department of Defense Technology and Privacy Advisory Committee : joint hearing before the Subcommittee on Commercial and Administrative Law, and the Subcommittee on the Constitution of the Committee on the*

Judiciary, House of Representatives, One Hundred Eighth Congress, second session, August 20, 2004. Washington : U.S. G.P.O. : For sale by the Supt. of Docs., U.S. G.P.O., 2005.

United States. Dept. of Labor. *Employee Polygraph Protection Act (EPPA) poster.* Washington, D.C. : Dept. of Labor, 1997.

United States. Employment Standards Administration. Wage and Hour Division. *Employment relationship under the Fair Labor Standards Act (FLSA).* Washington, D.C. : Employment Standards Administration, Wage and Hour Division, 1997.

United States. Government Accountability Office. *Earned income tax credit implementation of three new tests proceeded smoothly, but tests and evaluation plans were not fully documented*

: report to congressional requesters. Washington, D.C. : U.S. Government Accountability Office, 2004.

Walker, David M., 1951. *Human capital preliminary observations on final Department of Homeland Security human capital regulations : testimony before the Subcommittee on Oversight of Government Management, the*

Federal Workforce, and the District of Columbia, Committee on Homeland Security and Governmental Affairs, U.S. Senate. Washington, D.C. : U.S. Government Accountability Office, 2005.

Do You Know?

1. What technical term was indispensable in an indictment of forcible entry at common law?
2. What five torts arose out of the common law writ of trespass?
3. In an action for slander does a claim that the plaintiff has tuberculosis constitute slander per se?
4. What is the original definition of mayhem?
5. Under common law, what types of activities will be held to strict liability?

Reviews

Caught in the Net: The Impact of Drug Policies on Women and Families

<http://www.aclu.org/WomensRights/WomensRights.cfm?ID=17803&c=171>

Authored in part by Lenora Lapidus of the ACLU, this is decidedly a publication with a point of view. Statistics, anecdotes and analysis are used to emphasize the devastating effect current drug policies have on, not only women, but also those, young and old, who depend on them. In 1980, 12,300 women were incarcerated in state and federal prisons and local jails. By the year 2002 that number jumped to 182,271. This increase was due mainly to an increase in incarcerations for drug offenses (Chart A).

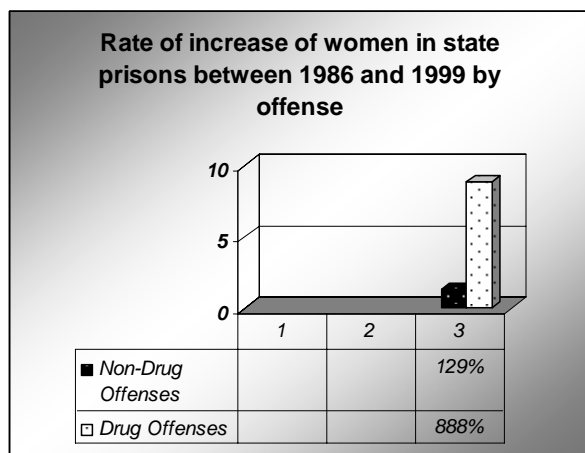


Chart A

The particular tragedy of this situation, according to Lapidus is that the laws, as they stand, are expensive and fail to promote public safety. The war on drugs "costs a great deal to wage – over \$12 billion in 2004 alone – and has led to no measurable decline in illegal drug use or availability since its inception." The report also shows how the criminal justice system has "failed to address the root causes of addiction and drug related crimes."

Thoroughly written, this publication touches all bases, referencing Supreme Court decisions, sentencing guidelines, violent and coercive relationships, mental illness, racial disparities, and guilt by association, forfeiture laws, impact on family members, and personal stories, including a recent quote from Martha Stewart urging reform and rehabilitation.

In conclusion, the article recommends that drug abuse be treated as a symptom of societal problems; women be treated as patients, not prisoners; policymakers develop a clear understanding of women in the criminal justice system; women be held accountable for their actions, not the actions of others; and families be preserved in the event of an incarceration.

New Titles

Advanced issues in Arizona employment law.

Alexander, Neil M.

Eau Claire, Wis. : National Business Institute, c2005. c2005.

Call No. KFA2731.A75 A54 2005

Advanced issues in LLC formation and operation in Arizona.

Deloughery, Paul.

Eau Claire, WI : National Business Institute, 2005.

Call No. KFA2615.L55 D45 2005

Aligning your practice with the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005.

Maidman, Bret A.

Eau Claire, Wis. : National Business Institute, 2005

Call No. KFA2621 .M35 2005

Alternative dispute resolution.

Grenig, Jay E.

St. Paul, Minn. : Thomson/West, 2005.

Call No. KF9084 .G7 2005

Art law : the guide for collectors, investors, dealers, and artists.

Lerner, Ralph E., Bresler, Judith

New York, N.Y. : Practising Law Institute, 2005.

Call No. KF390.A7 L47 2005

Border security: actions needed to strengthen management of Department of Homeland Security's Visa Security Program : report to congressional committees.

United States. Government Accountability Office.

Washington, D.C. : U.S. Government Accountability Office, 2005.

Call No. Internet Resource

Business and commercial litigation in federal courts.

Haig, Robert L.

Chicago : American Bar Association, Section of Litigation, 2005.

Call No. KF8925.C55 B87 2005

Civil trial from start to finish : a practical approach to trying a civil case in Arizona.

Mahrle, Richard K.

Eau Claire, Wis. : National Business Institute, 2005.

Call No. KFA2938 .M34 2005

Community justice : issues for probation and criminal justice.

Winstone, Jane.

Cullompton : Willan, 2005.

Call No. HV9276.5 .C655 2005

The complete guide to buying a business.

Steingold, Fred.

Berkeley, CA : Nolo, 2005.

Call No. KF1355 .S74 2005

The complete guide to selling a business.

Steingold, Fred.

Berkeley, CA : Nolo, 2005.

Call No. KF1355.Z9 S74 2005

Conquest by law : how the discovery of America dispossessed indigenous peoples of their lands.

Robertson, Lindsay Gordon.

New York : Oxford University Press, 2005.

Call No. KF228.U5 R63 2005

Consultant & independent contractor agreements.

Fishman, Stephen.

Berkeley, CA : Nolo, 2005.

Call No. KF898 .F567 2005

Corporate governance : law, theory, and policy.

Chu, U-il.

Durham, N.C. : Carolina Academic Press, 2004.

Call No. KF1422 .C6728 2004

The criminal law handbook : know your rights, survive the system.

Bergman, Paul, Berman-Barrett, Sara J.

Berkeley, CA : Nolo, 2005.

Call No. KF9619.6 .B47 2005

Current issues impacting insurance defense practice in Arizona.

Cobb, Richard L.

Eau Claire, Wis. : National Business Institute, 2005.

Call No. KFA2585 .C63 2005

David Ball on damages : a plaintiff's attorney's guide to personal injury and wrongful death cases.

Ball, David.

Notre Dame, Ind. : National Institute for Trial Advocacy, 2005.

Call No. KF1250 .B355 2005

Directors' and officers' liability.

Fanto, James A.

New York City : Practising Law Institute, 2005-

Call No. KF1423 .C542

Disaster preparedness manual.

Genovese, Robert, Taylor, Trish, White, Edward.

Buffalo, N.Y. : W.S. Hein, 2003.

Call No. Z733.U854 G46 2003

Drug information handbook for psychiatry : a comprehensive reference of psychotropic, non-psychotropic, and herbal agents.

Fuller, Matthew A., Sajatovic, Martha.

Hudson, Ohio : Lexi-Comp, 2005.

Call No. RM315 .F958 2005

The effect of cost-sharing on the utilization of prescription drugs for chronically ill patients.

Solomon, Matthew D.

Santa Monica, CA : RAND Corp., 2005.

Call No. RA410.5 .S65 2005

Employee duty of loyalty : a state-by-state survey.

Malsberger, Brian M.

Washington, D.C. : Bureau of National Affairs, 2005.

Call No. KF3197.Z95 E47 2005

Every dog's legal guide : a must-have book for your owner.

Randolph, Mary.

Berkeley, Calif. : Nolo, 2005.

Call No. KF390.5.D6 R36 2005

Executive compensation.

Tauber, Yale D., Levy, Donald R.

Washington, D.C. : Bureau of National Affairs, 2002.

Call No. KF1424 .E879 2002

Friedman on contracts and conveyances of real property.

Friedman, Milton R.

New York City : Practising Law Institute, 2005-
Call No. KF670 .F72

Fundamental probate procedures and practice in Arizona.

Bregman, Mark A.

Eau Claire, WI : National Business Institute, 2005.

Call No. KFA2544 .B74 2005

Harrison's principles of internal medicine.

Kasper, Dennis L., Harrison, Tinsley Randolph.

New York : McGraw-Hill, Medical Pub. Division, 2005.

Call No. RC46 .H32 2005

Improving health care : a dose of competition.

United States. Federal Trade Commission,
United States. Dept. of Justice. Antitrust Division.

Washington, D.C. : Dept. of Justice, Antitrust Division : Federal Trade Commission, 2004.

Call No. Internet Resource

The indigenous law journal at the University of Toronto, Faculty of Law.

University of Toronto. Faculty of Law.

Toronto : University of Toronto, Faculty of Law, 2002-

Call No. Internet Resource

Impact of 9/11 and other emergency situations on court administration : report of a survey of local trial courts.

Hastings, Allison L.

Washington, D.C. : American University, 2003.

HV551.3 .H37 2003

Intoxilyzer 8000.

Phoenix Police Crime Laboratory.

Owensboro, Ky. : CMI Inc., 2005.

Call No. KF2231.I58 O742 2005

Judicial Council of California criminal jury instructions.

California. Judicial Council.

St. Paul, Mo. : Thomson/West, 2005-

Call No. KFC1171.A65 J83

Juvenile delinquency guidelines : improving court practice in juvenile delinquency cases.

Grossmann, David E., Portley, Maurice.

Reno, NV : National Council of Juvenile and Family Court Judges, 2005.

Call No. KF9795 .J88 2005

Law office policy & procedures manual.

Wert, Robert C.

Chicago, Ill. : ABA Law Practice

Management Section, 2004.

Call No. KF318 .L65 2004

Licensing intellectual property in the information age.

Port, Kenneth L.

Durham, N.C. : Carolina Academic Press, 2005.

Call No. KF3145 .L53 2005

Liquid assets : how demographic changes and water management policies affect freshwater resources.

Boberg, Jill.

Santa Monica, CA : RAND Corp., 2005.

Call No. HD1702 .B63 2005

Litigation.

American Bar Association. Section of Litigation.

Chicago : Section of Litigation, American Bar Association

Call No. Internet Resource

Litigation of international disputes in U.S. courts.

Nanda, Ved P., Pansius, David K.

St. Paul, Minn. : Thomson/West, 2005-

Call No. KF8940.P75 N362

A litigator's guide to effective use of ADR in California.

Aragaki, Hiro N.

Oakland, Calif. : Continuing Education of the Bar, 2005-

Call No. KFC1094 .L58

Modern scientific evidence : the law and science of expert testimony.

Faigman, David L.

Eagan, MN : Thomson/West, 2005-

Call No. KF8961 .M63

Negotiating the best possible settlement for divorce clients in Arizona.

Griggs, Thomas J.

Eau Claire, WI : National Business Institute, 2005.

Call No. KFA2500 .G76 2005

OJJDP's annual report.

United States. Office of Juvenile Justice and Delinquency Prevention.

Washington, D.C. : U.S. Dept. of Justice, Office of Juvenile Justice and Delinquency Prevention,

Call No. Internet Resource

PLI's guide to the securities offering reforms.

Silverman, Leslie N.

New York, N.Y. : Practising Law Institute, 2005.

Call No. KF1070.Z9 S55 2005

Police personnel challenges after September 11 : anticipating expanded duties and a changing labor pool.

Raymond, Barbara.

Santa Monica, CA : RAND Corp., 2005.

Call No. HV8141 .P584 2005

The pocket MBA : everything an attorney needs to know about finance.

Singer, Mike.

New York City : Practising Law Institute, 2005.

Call No. KF1428 .P63 2005

Police personnel challenges after September 11 : anticipating expanded duties and a changing labor pool.

Raymond, Barbara.

Santa Monica, CA : RAND Corp., 2005.

Call No. HV8141 .P584 2005

Punitive damages.

Schlueter, Linda L.

Newark, N.J. : LexisNexis Matthew Bender, 2005.

Call No. KF1249 .S35 2005

Sexual harassment in the workplace.

Boland, Mary L.

Naperville, Ill. : Sphinx Pub., 2005.

Call No. KF3467 .B65 2005

Start your own law practice : a guide to all the things they don't teach in law school about starting your own firm.

Huss, William W.

Naperville, Ill. : Sphinx Pub., 2005.

Call No. KF300 .H87 2005

The Trade-mark reporter.

United States Trademark Association.

New York : United States Trademark Association

Call No. Internet Resource

U.S. regulation of hedge funds.

Hammer, Douglas L.

Chicago, Ill. : American Bar Association, 2005.

Call No. KF1078 .U14 2005

The World almanac and book of facts.

New York : Newspaper Enterprise Association.

Call No. AY67.N5 W7

Do You Know Answers

From: Healey, Paul D. "De Minimis Curat Lex: A Compendium of Legal Trivia." 89 *Law Library Journal* 55 (1997).

1. "With strong hands."
2. Battery, assault, false imprisonment, trespass to chattels, and trespass to land.
3. No. At common law slander per se requires reference to a "loathsome" disease. Historically, diseases such as tuberculosis were not considered loathsome.
4. An injury which renders the victim less able to fight offensively and defensively through the dismemberment or disabling of a part of the body required for fighting.
5. Those which are unduly dangerous and abnormal in the community.

Judicial Independence: Recent Publications

Berkowitz, Daniel and Karen Clay. *The Effect of Judicial Independence on Courts: Evidence from the American States* (August 2004). Available at <http://www.pitt.edu/~dmberk/Judges0804final.pdf>. ["Invited to revise and resubmit at the Journal of Legal Studies, May 2005."]

The Brookings Institution. *A Brookings Judicial Issues Forum: "Can An Independent Judiciary Be Accountable?"* Friday, June 10, 2005, Falk Auditorium, 1775 Massachusetts Avenue N.W., Washington, D.C. Transcript available at <https://www.brook.edu/comm/events/20050610.pdf>.

Burke, Kevin S. "A Judiciary That Is As Good As Its Promise: The Best Strategy for Preserving Judicial Independence." 41 *Court Review* 4 (Summer 2004). Available at <http://aja.ncsc.dni.us/courtrv/cr41-2/CR41-2Burke.pdf>.

Carson, Hon. Wallace P. Jr., Hon. Hunter Patrick and Hon. Rosemary Sackett. "What Judges Say About State Court Funding and Judicial Independence." 88 *Judicature* 170 (2005).

Dolan, Hon. James W. *A Declaration Of Independence: Reaffirming the Autonomy of the Third Branch*. Boston, MA: Pioneer Institute for Public Policy Research, 2002. Available at <http://www.pioneerinstitute.org/pdf/wp18.pdf>.

Geyh, Charles Gardner. "Maintaining the Quality of Justice: Elastic Nature of Judicial Independence & Judicial Accountability," in *The Improvement of the Administration of Justice*, 7th ed. Gordon M. Griller and E. Keith Stott, Jr., eds. Chicago: Lawyers Conference, Judicial Division, American Bar Association, 2002. [[Law Library Catalog](#)]

Guidance For Promoting Judicial Independence And Impartiality, rev. ed. Technical Publication Series. Washington, DC: Office of Democracy and Governance, Bureau for Democracy, Conflict, and Humanitarian Assistance, U.S. Agency for International Development, 2002. Available at http://www.usaid.gov/our_work/democracy_and_governance/publications/pdfs/pnacm007.pdf.

Hall, Daniel, Robert Tobin and Kenneth Pankey, Jr. "Balancing Judicial Independence and Fiscal Accountability in Times of Economic Crisis." 43 *Judges' Journal* 5 (Summer 2004). Available at

http://www.abanet.org/jd/publications/jjournal/2004summer/hall_et.al.pdf. Reprint available at <http://www.ncsconline.org/WC/Publications/KIS/JudIndFiscalAcct.pdf>.

Hanssen, F. Andrew. *Is There a Politically Optimal Level of Judicial Independence?* Stanford Law and Economics Olin Working Paper No. 218 (April 2001). Available at <http://ssrn.com/abstract=268680>.

Hanssen, F. Andrew. "Learning About Judicial Independence: Institutional Change In the State Courts." 33 *Journal of Legal Studies* 431 (2004). Version available at Department of Agricultural Economics and Economics, Montana State University (February 24, 2004), Available at <http://www2.montana.edu/ahanssen/Papers/trial16.pdf>.

An Independent Judiciary: Report of the ABA Commission on Separation of Powers and Judicial Independence. Washington, DC: American Bar Association, Governmental Affairs Office, 1997. Available at <http://www.abanet.org/govaffairs/judiciary/report.html>. [Commission's hearings also available at <http://www.abanet.org/govaffairs/judiciary/home.html>.]

"Issues in Judicial Independence and Accountability: An Edited Transcript of a Presentation at the Annual Meeting of the American Judicature Society on August 7, 2004." 88 *Judicature* 114 (2004).

Judicial Independence and Accountability Symposium. The Law School, University of Southern California, November 20-21, 1998. Available at <http://www.usc.edu/dept/law/symposia/judicial/program.html> [Provides copies of symposium papers and RealMedia video archive of the live symposium activities.]

Judicial Independence at the Crossroads: An Interdisciplinary Approach. Stephen B. Burbank and Barry Friedman, eds. Sage Publications, Inc., 2002.

Judicial Independence at the Crossroads: The Importance of Promoting and Preserving Judicial Independence to the Civil Rights Community. Washington, DC: Lawyers' Committee for Civil Rights Under Law, Judicial Independence and Access to the Courts Project, 2002. Available at <http://www.lawyerscomm.org/publicpolicy/pdf/judindpaper.pdf>.

League of Women Voters Education Fund.
Educating Citizens About Protecting Access To A Fair And Independent Judiciary: Final Report, Grant 20011380, February 2005. Available at http://www.lvv.org/join/justsociety/judicial_finalreport.pdf.

Myers, Lawrence G. "Judicial Independence in the Municipal Court: Preliminary Observations From Missouri." 4 *Court Review* 26 (Summer 2004). Available at <http://aja.ncsc.dni.us/courtrv/cr41-2/CR41-2Myers.pdf>.

Ramseyer, J. Mark and Eric B. Rasmusen.
Measuring Judicial Independence: The Political Economy of Judging in Japan. University of Chicago Press, 2002. [[Law Library catalog](#)]

Tobin, Robert. *Creating the Judicial Branch: The Unfinished Reform.* Williamsburg, VA: National Center for State Courts, 1999. [[Law Library Catalog](#)]

Walker, John M. Jr. "Politics and the Confirmation Process: The Importance of Congressional Restraint in Safeguarding Judicial Independence." 55 *Syracuse Law Review* 1 (2004).

Additional Resources

ABA Standing Committee on Judicial Independence
<http://www.abanet.org/judind/home.html>

American Judicature Society – Center for Judicial Independence
<http://www.ajs.org/cji/default.asp>

Brennan Center For Justice At NYU School Of Law – Judicial Independence Bibliography
<http://www.brennancenter.org/programs/biblio/>

Lawyers' Committee for Civil Rights Under Law – Judicial Independence
<http://www.lawyerscomm.org/publicpolicy/judicialindependence.html>

National Center for State Courts – Judicial Independence Resource Guide
<http://www.ncsconline.org/WC/Education/JudIndGuide.htm>

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